

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: W 6TH STREET CHULUOTA REZONE

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Matthew West **CONTACT:** Tina Deater EXT. 7440

Agenda Date 11/5/2003 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request for rezoning from R-3 (Multiple-family Dwelling) to R-2 (One- and Two-family Dwelling) of approximately 0.21 acres located on the south side of W. 6th Street, west of CR 419 (Gayle Marion, applicant); or
2. Recommend DENIAL of the request for rezoning from R-3 (Multiple-family Dwelling District) to R-2 (One- and Two-family Dwelling District) of approximately 0.21 acres located on the south side of W. 6th Street, west of CR 419 (Gayle Marion, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 1 – Comm. Maloy)

(Tina Deater, Senior Planner)

BACKGROUND:

The applicant, Gayle Marion, requests R-2 zoning for approximately 0.21 acres located on the south side W. 6th Street, west of CR 419, to accommodate a duplex. The subject property has an R-3 zoning classification. The land use for the property is HDR (High Density Residential) which allows the proposed R-2 zoning classification.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested R-2 zoning classification.

Reviewed by:	_____
Co Atty:	<u>KZC</u>
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2003-044</u>

W. 6TH STREET CHULUOTA REZONE R-3 TO R-2

REQUEST INFORMATION		
APPLICANT	Gayle Marion	
PROPERTY OWNER	Jeff Marion	
REQUEST	Rezone property from R-3 (Multiple-family Dwelling District) to R-2 (One- and Two- family Dwelling District)	
HEARING DATE (S)	P&Z: November 5, 2003	BCC: December 9, 2003
SEC/TWP/RNG	21-21-32-5CF-5200-0120	
LOCATION	On the south side W. 6 th Street, west of CR 419	
FUTURE LAND USE	High Density Residential	
FILE NUMBER	Z2003-044	
COMMISSION DISTRICT	#1 – Maloy	

OVERVIEW

Zoning Request: The applicant, Gayle Marion, requests R-2 zoning for approximately 0.21 acres located on the south side W. 6th Street, west of CR 419, to accommodate a duplex. The subject property has an R-3 zoning classification. The land use for the property is HDR (High Density Residential) which allows the proposed R-2 zoning classification.

North of the parcel is W. 6th Street and residential lots zoned R-2 and R-3. West and east of the parcel are residential lots zoned R-2. The residential lots to the immediate west of the parcel are vacant and zoned R-3. The existing R-3 designation allows for one or two story apartment buildings with a maximum density of 13 units per net buildable acre. The requested zoning of R-2 permits one and two family dwellings on a minimum 9,000 square foot lot, while accommodating setbacks and necessary site improvements. The subject parcel is approximately 62 feet wide, and the minimum parcel width in the R-2 district is 75 feet. In order to develop this site with a duplex, the applicant will have to obtain a variance, which will be handled through a separate application.

Existing Land Uses:

	EXISTING ZONING	FUTURE LAND USE
NORTH	W. 6 th Street, R-3 (Multiple-family Dwelling) and R-2 (One- and Two-family Dwelling)	High Density Residential and Medium Density Residential
SOUTH	R-3 (Multiple-family Dwelling)	High Density Residential
EAST	R-3 (Multiple-family Dwelling)	High Density Residential
WEST	R-3 (Multiple-family Dwelling)	High Density Residential

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

The proposed zoning is consistent with the adopted future land use designation assigned to the property and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.

Transportation / Traffic:

Access is available to the site from W. 6th Street. The proposed R-2 zoning will allow less density than the current R-3 zoning designation, and will result in less traffic impacts.

Compliance with Environmental Regulations:

There are no identified flood prone areas associated with this property. The parcel lies within the Econlockhatchee River Protection Overlay Zoning District. At the time of site development, the property will be subject to the regulations contained in Part 57 of the Seminole County Land Development Regulations.

Compatibility with Surrounding Development:

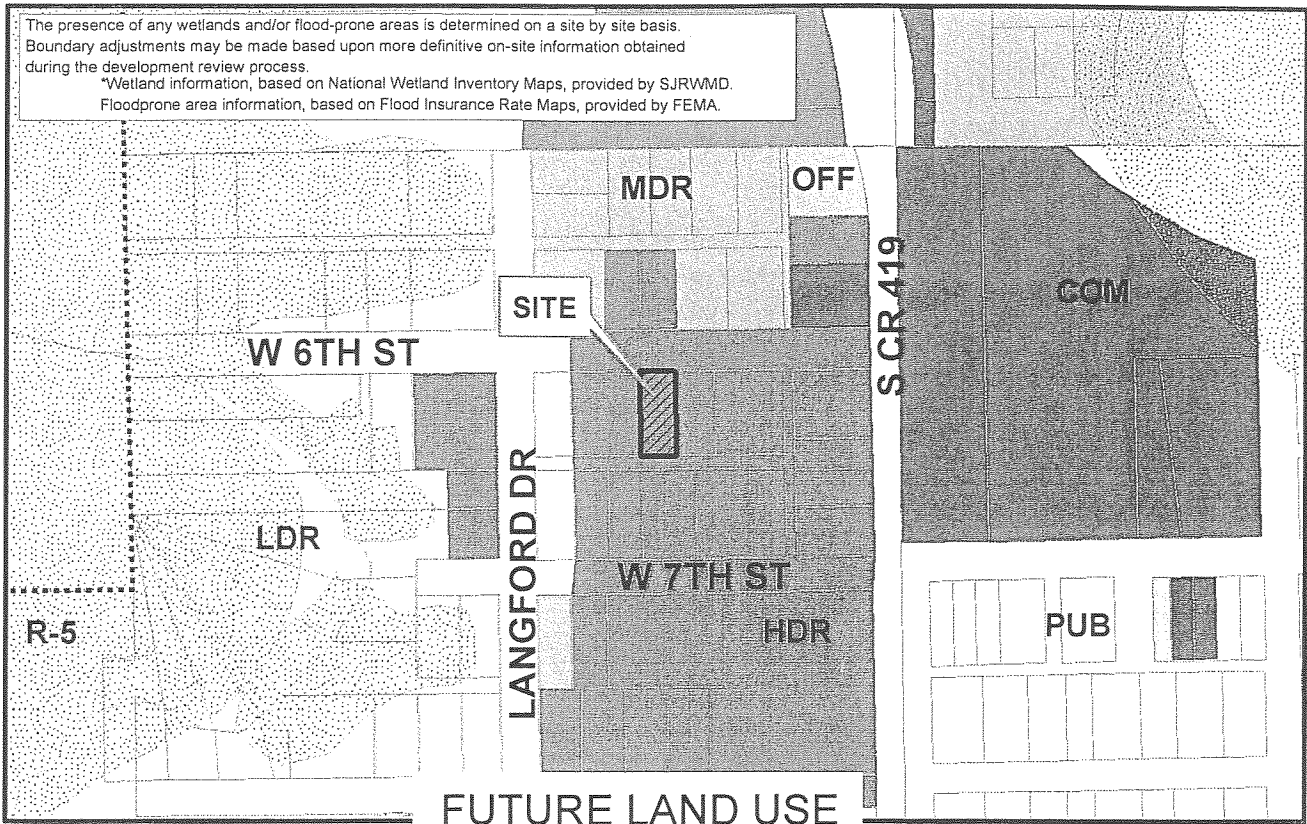
Currently, the surrounding area has High Density Residential and Medium Density Residential land use designations. The proposed R-2 zoning classification is allowed in either the High or Medium Density Residential land use designations, and therefore, the proposed zoning is compatible with the surrounding area.

STAFF RECOMMENDATION

Staff recommends approval of the requested R-2 zoning classification to accommodate a duplex based on the following findings:

1. The proposed use within the R-2 zoning district would not be detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area; and
2. The proposed use within the R-2 zoning district would not be incompatible with the concepts of high density residential land use; and
3. The uses within the proposed R-2 zoning district would not have an undue adverse effect on existing traffic patterns, movements and intensity; and
4. The proposed R-2 zoning district is compatible with the concepts of its future land use designation of High Density Residential.

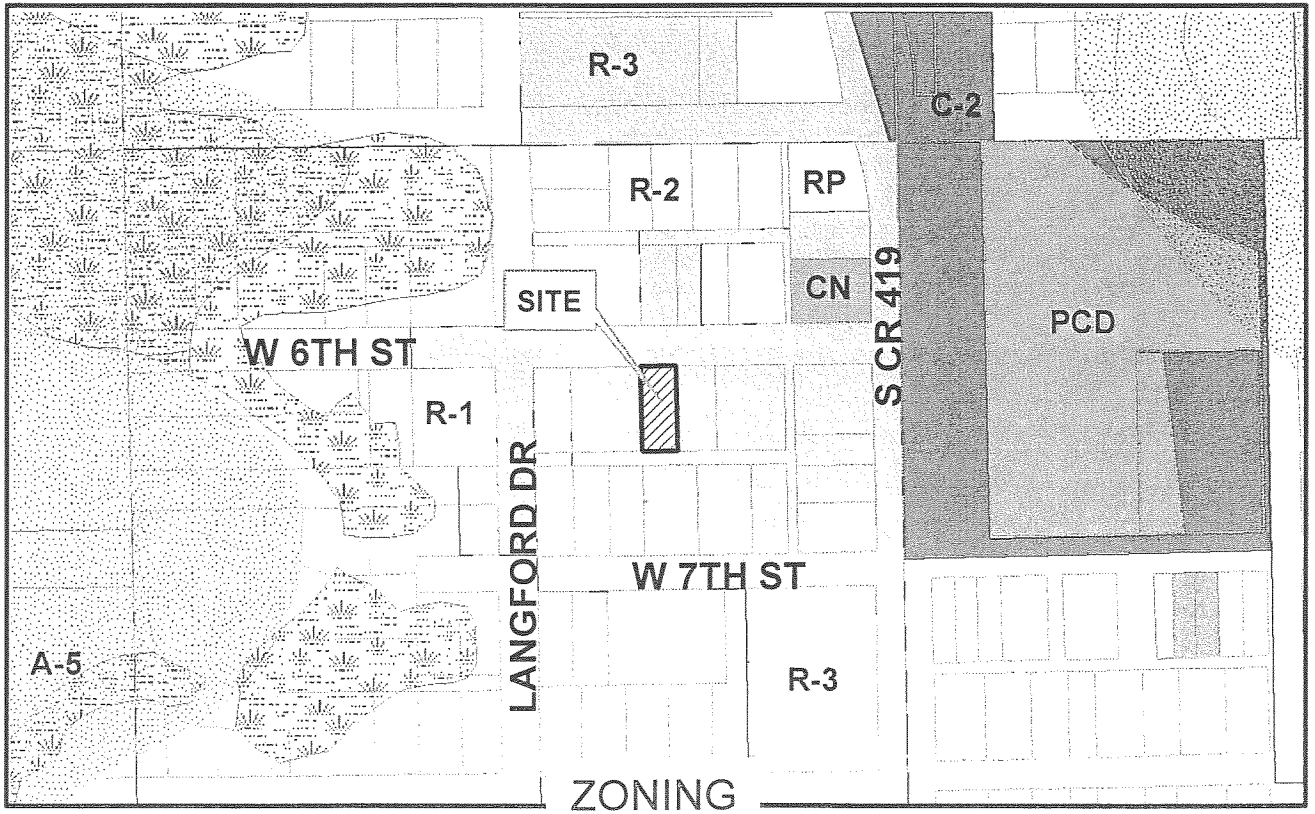
Attachments:



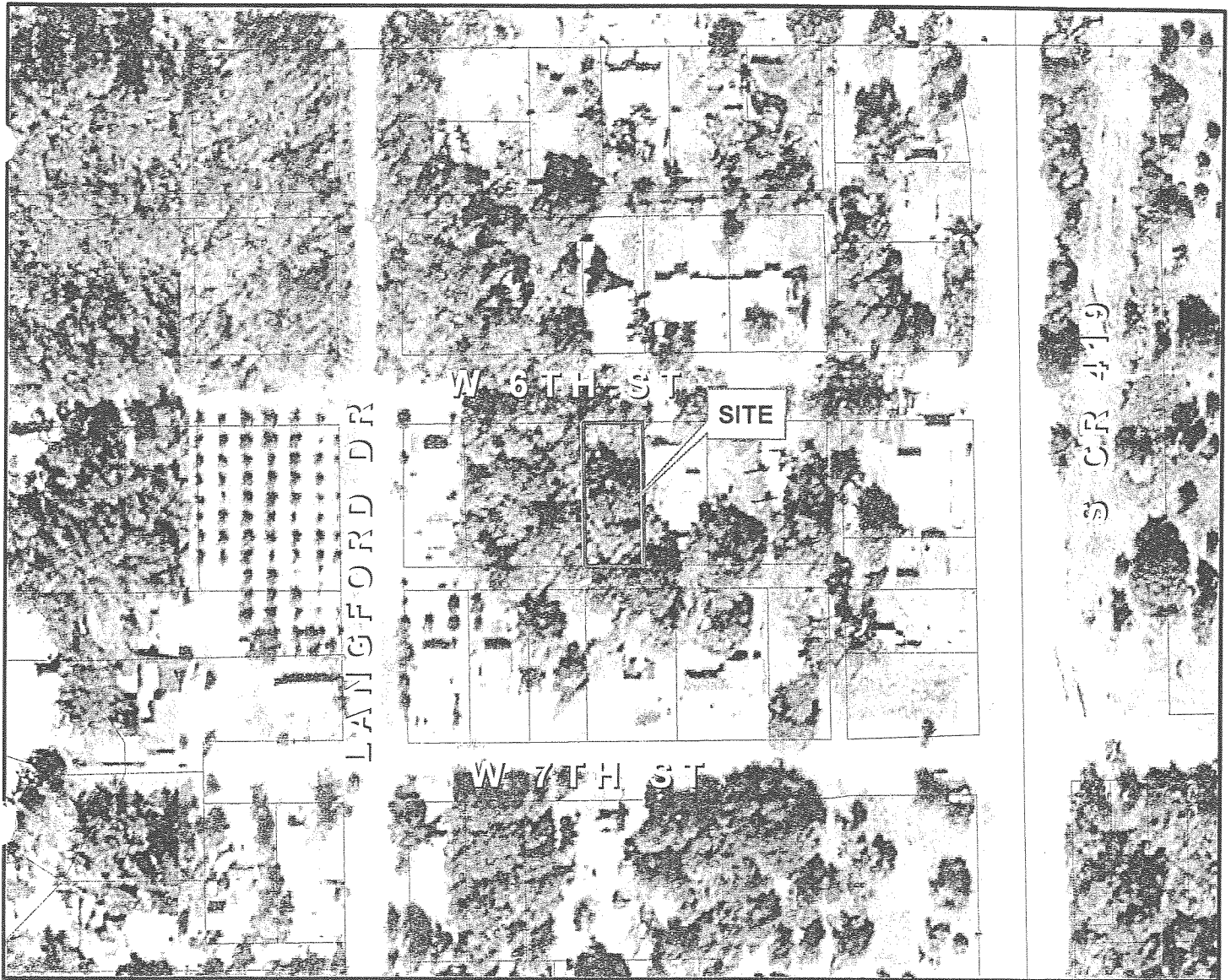
Site
 Municipality
 R5 LDR MDR HDR OFF COM PUB
 CONS

Applicant: Gayle Marion
 Physical STR: 21-21-32-5CF-5200-0120
 Gross Acres: +/- 0.21 BCC District: 1
 Existing Use: Single Family Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-044	R-3	R-2




A-5 R-1 R-2 R-3 RP CN C-2 FP-1 W-1



Rezone No: Z2003-044

From: R-3 To: R-2

 Parcel

 Subject Property



February 1999 Color Aerials

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-3 ZONING CLASSIFICATION THE R-2 ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled, "W. 6th Street Chuluota Rezone R-3 to R-2."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from R-3 to R-2:

SEE ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing by the Department.

ENACTED this ____ day of November, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A
LEGAL DESCRIPTION

LOT 12 BLK 62 NORTH CHULUOTA PB 2 PGS 54 TO 58